

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

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|---------------------------------|---|--------------------------------|
| UNITED STATES OF AMERICA | : | |
| | : | Criminal No. 3-CR-19-09 |
| v. | : | |
| | : | (JUDGE MANNION) |
| BRUCE EVANS, SR. and | : | |
| BRUCE EVANS, JR., | : | |
| | : | |
| Defendants | | |

ORDER

In accordance with the Memorandum issued this same day, **IT IS
HEREBY ORDERED:**

1. Klepadlo's motion to quash the trial subpoena of defendant Evans Sr.'s to preclude the defendants from calling him as witness at his trial and compelling him to testify based on his 5th Amendment privilege against self-incrimination, **(Doc. 132)**, is **GRANTED IN PART** and, **DENIED IN PART**.
2. Specifically, the court finds that Klepadlo can invoke his 5th Amendment privilege against self-incrimination regarding all of the proposed questions counsel for defendants would ask him at trial that involve his conduct relating to the GTSA that occurred **on or after September 6, 2016**. Thus, counsel for defendants are precluded from asking Klepadlo any such questions when he is testifying at trial in front of the jury. Counsel for defendants are

permitted to ask Klepadlo questions related to his activities involving the GTSA that were covered by the offenses he pled guilty to and regarding his activities that occurred **prior to September 6, 2016**, since the statute of limitations expired for any such criminal conduct.

3. The defendants' request for the court to dismiss with prejudice the superseding indictment and all of the charges against them due to the alleged violations of their due process rights, (**Doc. 162 at 4**), is **DENIED**.

s/ Malachy E. Mannion
MALACHY E. MANNION
United States District Judge

Date: December 8, 2021

19-09-07-ORDER